

EXHIBIT 65

100 JAIL GUARDS REPORTEDLY QUIT EMERGENCY UNIT

By Todd S. Purdum

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More than 100 city correction officers in an emergency unit gave up those voluntary assignments yesterday to protest actions by the Correction Department after reports that Rikers Island guards beat inmates, their union president said.

A spokesman for the Correction Department, James Whitford, said late yesterday afternoon that no resignations had yet been received. He said that resignations would be accepted, but that those resigning would not be allowed to leave the team all at once.

The head of the Correction Officers Benevolent Association, Philip Seelig, said he would call a general strike of the 6,000 correction officers if any officers were disciplined for abandoning their assignment to the emergency response team.

The team, which has 175 members, handled the prisoner transfers in which the beatings were reported to have occurred. Official observers said guards had beaten handcuffed inmates who were being transferred between jails to relieve overcrowding.

Mr. Whitford refused to say what action the department would take if officers tried to quit the unit en masse or did not respond when called on.

Mr. Seelig said the guards would continue to do their regular assignments, and Police Department officials said they had made plans to aid the Correction Department if needed.

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The resignations come after a week of inmate disturbances at the overcrowded jail complex and a day after three ranking wardens were replaced in response to reports of beatings, which are under investigation. Two captains were suspended and departmental charges were filed against two deputy wardens.

Mayor Koch, in a separate statement, said he had asked the Correction Commissioner, Richard J. Koehler, to assess current safeguards within two weeks and to recommend any others needed "to prevent and deter excessive use of force in our jails." The developments followed the forced resignation Monday of the three ranking wardens accused by the Commissioner Koehler of failing to supervise the situation on the island properly. The departmental disciplinary charges against the four other supervisors involving their role in the incidents were brought the same day.

Mr. Seelig said Commissioner Koehler's actions and public statements about the incidents were improper.

"It's the usual procedure to have an investigation," Mr. Seelig said at a news conference on the bridge leading to the island in the East River. "It's not the usual procedure for the Commissioner to make judgments before the results of that investigation are heard. The man has lost credibility with the work force." No Word From Koehler

Commissioner Koehler was said to be in meetings yesterday and could not be reached for comment.

Mr. Seelig appeared at the conference with some of the officers on the emergency team who had given up their assignments and boycotted a morning meeting to which department officials had summoned them.

Officers on the team, called the Correction Emergency Response Team, or CERT, work shifts as regular guards and respond to special situations as needed.

"This island would be torn apart in riots if the CERT team didn't hold the line this weekend," he said. Officers had only used "necessary force" to restrain a group of inmates who attacked a guard and then tried to bolt from a bus as they were being transferred Friday night, Mr. Seelig said. 'A Last Resort'

The Police Department has prepared tentative plans in case its officers are needed to provide help on the island "as a last resort," said a spokesman, Capt. Michael Julian. He said the Police Department's response would mostly involve securing

the grounds and the island's perimeter.

No correction officers have been disciplined in the beating investigation, but Mr. Seelig said 18 officers who helped transfer the inmates were expected to be summoned before the department's inspector general, and might face charges.

In addition to the Correction Department, the United States Attorney's office in Manhattan and the City Department of Investigation are making inquiries.

Mayor Koch said "an intensive investigation" was under way to determine whether any state or Federal laws were violated, and to identify anyone responsible for crimes. If the circumstances warrant, he said, the matter will be presented to a Federal grand jury.

Mr. Whitford said the inmate population in the city jail system yesterday stood at 13,994, down from 14,150 on Friday, but still above the system's capacity of 12,878. He said the remaining 250 inmates of the 450 scheduled for transfer to state prison in an emergency measure worked out by city and state officials over the weekend should be moved sometime this week. The first 200 were transferred Sunday.

At the Correctional Institution for Men, the jail on Rikers Island where many of the problems have occurred, Mr. Whitford said the population was below 2,500 yesterday, down from about 2,800 last week. Its capacity is 2,083. Another Disturbance Mr. Whitford said there was a minor disturbance yesterday at Rikers Island "involving an inmate who had to be restrained." He said he had no further details and could not confirm a report by the union that three guards were bitten and bruised.

In another development yesterday, about 20 Rikers inmates who are suffering from AIDS, or acquired immune deficiency syndrome, were reported to have begun a hunger strike to protest medical care and conditions.

Yolanda Serrano, president of Adapt, a volunteer group that works with inmates who have AIDS, said the group on Rikers began to refuse food and medication yesterday morning.

A Correction Department spokesman, Katherine Dawkins, said that 16 inmates had refused to take breakfast, but that they already had leftover food in their cells. She said she did not know how many had refused medication.

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